

WASTE 2 RESOURCES ADVISORY COMMITTEE

** MEETING SUMMARY **

March 18, 2014, 9:30 a.m.

John Sherman, Committee Chair, called the meeting to order at 9:40 a.m. and introductions were made. He asked for a motion to approve the November 19 meeting notes. There was a motion to adopt them. The motion was seconded and the notes were approved.

Legislative Update - Laurie Davies

Contact: 360-407-6103, Laurie.Davies@ecy.wa.gov

We had a better legislative session than some in the past. The Operating Budget passed and the Capital budget didn't. The fiscal impact to solid waste work is minimal. We didn't get the \$2.5 million requested in the Supplemental Budget for Port Angeles to perform work on its landfill to keep parts of it from sloughing off into the Strait of Juan de Fuca. We did receive funding for children's products testing and biosolids permit backlog work.

EHB 2636 passed, which streamlines statutorily required environmental reports by state agencies. For the Waste 2 Resources (W2R) Program, this means elimination of the annual tire recycling report, and now instead of doing formal legislative reports for waste tire pile cleanup, biosolids, and litter, we are to post the information online. Also, the statewide litter survey isn't required biennially and can now be done periodically.

ESHB 2246 passed. The bill establishes an environmental handling charge for each mercury-containing light sold at retail in order to fund the producers' statewide collection and recycling program. The environmental handling charge will be reviewed and approved by the Department of Ecology (Ecology). The program will be available across the state on January 1, 2015. Kara Steward, who was on point for mercury lights, accepted another position in the W2R Program. Ecology is recruiting for Kara's replacement.

ESB 6501 passed, which is regarding used oil recycling. The legislation is a result of the city of Tacoma's recent contamination issues. By July 1, 2015, Ecology, in consultation with local governments and EPA, must develop Best Management Practices (BMPs) to prevent and manage PCB contamination of used oil, and update hazardous waste planning guidelines for public used oil collection sites. The bill also directs Ecology to develop a process to prioritize and recommend legislative funding of city and county petitions for relief from extraordinary disposal and compliance costs associated with PCB contamination of collected used oil.

Before January 1 of each year, Ecology, in conjunction with local governments, EPA, and other stakeholders, will submit a prioritized list of local government petitions to the Legislature that are recommended for reimbursement. Funds must come from model toxic control accounts.

John Sherman talked about how cities like Tacoma can pay the costs, but it will be interesting to see how this plays out with smaller cities with less resources.

Laurie said we should have a pretty final draft of BMPs by fall 2014. The first opportunity for local governments to petition for relief will be in 2016.

SSB 6086 passed, which requires the Department of Enterprise Services to establish a purchasing and procurement policy that provides a preference for products and products in packaging that do not contain PCBs.

John Sherman asked about HB 2294, the legislation to raise the fine for illegal dumping. Laurie said that Ecology supported it, although the money from the fines would've gone to State Parks. The bill died on the floor.

Jim Sells said that SB 6141 passed, which gives solid waste companies the right to protest public dissemination of their private information in a public disclosure request.

Sueellen Mele mentioned that the paint stewardship bill (SHB 1579) moved out of committee, but didn't get a floor vote in the House. Also, a bill requiring new multifamily buildings to provide food and yard waste collection space didn't pass.

Laurie said another item of interest was a transportation package that included a very liberal change in the definition of solid waste, but it never had a hearing.

Recycling Update – Gretchen Newman & Dan Weston

Contact: 360-407-6097 & 407-6409; Gretchen.Newman@ecy.wa.gov & Dan.Weston@ecy.wa.gov

Dan gave W2RAC a presentation on the recycling survey process, and current recycling and diversion data. The data came from annual reports and surveys that went to more than 1000 facilities. 642 facilities provided recycling data. Dan presented the data trends for the recycling rate, per capita recycling, the diversion rate, per capita diversion, waste generation, paper, plastics, glass, organics, ferrous metals, electronics, asphalt/concrete, and C&D. Dan also described efficiencies in the survey process.

Gretchen gave W2RAC a presentation on the Recycling Destination and Use Study (RDUS) and EPA's Waste Reduction Model (WARM). The goals of the study are to characterize the loss rates, final destination, and use of recyclables collected in Washington in 2012; and to use the study results to inform analysis for calculating the recycling rate in future years. The survey included contacting 682 facilities. 341 facilities completed responses (50% response rate). The survey was online, voluntary, and anonymous if facilities didn't want to reveal their identities. Facilities provided information on material received, contamination, and residual rates, and final use of that material by type.

See Dan's and Gretchen's presentations posted on W2RAC's website.

Regarding MSW recycling, Sego Jackson asked if the data reflects what is collected for recycling, and if the data on MSW disposed captures what is actually getting disposed. Dan said yes.

Suellen Mele asked about recycling collected. Don't MRFs report what they're sending out and not what's coming in? Dan said they report both.

Jody Snyder asked about the MSW rate. Dan said that 3.53 is the lowest rate we've seen since we started collecting data.

Jan Gee asked how many counties are not including glass in curbside recycling. Shannon McClelland said many of the newer programs are not including glass.

Dennis Durbin asked how much of this data (increase/decrease) is associated with the reporting rate. Dan said the numbers generally increase as we contact more recyclers, but because of the double counting process we use, they are pretty consistent.

John Sherman asked where we need to do more outreach to get better data. Gretchen said perhaps textiles, and she would like to get more reporting from reuse and resale facilities. Overall, the reporting has been excellent, with a 97 percent response rate.

Dennis Durbin asked how we are notified about new recyclers. Dan said quite often we find out about them through destination reporting. There are also instances when Ecology staff find out about new facilities when they receive information about those operating without permits.

Suellen Mele asked if we are also looking at individual materials and how they are getting recycled. Dan said that Gretchen is working on a project related to that (the RDUS). Suellen asked if we are looking at the recycling rate in terms of how much is actually recycled instead of just what is collected. Dan said that we are looking at it, but it's difficult. On the survey forms, we're asking for tonnage of residual disposed. Potentially another avenue is the RDUS Gretchen is working on.

Gretchen said that we don't make facilities incoming and outgoing numbers balance. If we don't receive residual numbers, we don't adjust for them.

Sego Jackson asked if the RDUS survey was for beyond curbside materials. Gretchen said yes – it included everything.

Suellen Mele asked if those we surveyed were recyclers, but not necessarily users. Gretchen said some were, including brokers, manufacturers, etc. Suellen asked if the loss rate is per facility. Gretchen said yes.

Sego Jackson gave an example of a MRF reporting a 5 percent loss and a mill reporting a 2 percent loss. Do we average the numbers or keep them separate? Gretchen said we keep them separate.

Dan talked about the Benefits of Recycling focus sheet posted on Ecology's website, which includes information on greenhouse gas emissions reduction and energy savings. See the focus sheet posted on the W2RAC website.

Sego Jackson asked about the controversy over organic materials and the WARM model. Gretchen said there were some changes in the latest model, but she doesn't know if it resolved the controversy.

Jan Gee asked how the RDUS study is funded and if it has come from the Litter Tax. Laurie said staff time for the study is charged to WRRLCA.

Status of -350 Rule Update – Kyle Dorsey
Contact: 360-407-6559, Kyle.Dorsey@ecy.wa.gov

Kyle said we've worked to identify stakeholders and have moved on to identify overlap among sections of -350. Staff who are working on various sections of rule are contacting stakeholders. We are on the cusp of starting the rule process, including meeting with stakeholders and identifying issues. This will be a three-year process, and we anticipate adopting the rule by the end of 2016.

Laurie Davies said that if any W2RAC members thought they would be on a -350 workgroup and haven't heard from Ecology staff to let us know.

Sego Jackson asked Kyle about the main areas of interest in updating -350. Kyle said those areas include definitions of solid waste and recycling; beneficial use permit exemptions; land application; earthen material; energy recovery and incineration; onsite storage; etc. See the complete list along with staff leads posted on the W2RAC website. Kyle mentioned that we are not tackling organics in this revision process.

Status of State Solid and Hazardous Plan Update – Janine Bogar
Contact: 360-407-6654, Janine.Bogar@ecy.wa.gov

Janine gave W2RAC a presentation on the State Plan update process and timeline. See Janine's presentation posted on W2RAC's website.

Janine said meetings with stakeholders to get comments on the State Plan have been a good communication opportunity. We will soon publish a summary of the comments we received.

The most common comments received were about funding; education, communication, information, and technical assistance; data; toxics; urban/rural issues (one size doesn't fit all); addressing the current system; how recycling needs work (comingled issues, glass, etc.); how there should be more focus on producer responsibility and product stewardship; and supporting the waste hierarchy (more prevention and moving upstream).

John Sherman commented on the conundrum of “one size doesn’t fit all,” yet the need for consistent regulations.

Janine talked about the Oregon model for materials management (see presentation). Sego Jackson mentioned a materials management presentation he saw that incorporated reuse into the model.

Sueellen Mele commented on the upstream design and how we’re trying to influence it. There are other components that need to be incorporated.

Suellen Mele asked about the timeline. Will stakeholder input on the first draft be the only opportunity for comment?

Janine said she will finish summarizing comments, draft new recommendations and actions based on input, and get stakeholder review on the first draft this summer. A second draft will be written, and there will be opportunities to comment on that draft in winter 2014.

Agenda Items for Future Meetings

- Multifamily Pilots and Work Around the State – May 2014
- Offset Cycle CPG Grants – Sharon Hlavka, May 2014
- Presentation on Public Participation Grants – Jason Alberich, May 2014
- Food Waste Prevention – Ashley Zanolli (EPA) & Michelle Andrews, May 2014
- CPG Success Story: Thurston County Food Bank Reuse Program – Tami Ramsey, May 2014
- New Scrap Metal Law – Al Salvi, May 2014
- Waste Management’s Behavior Study – July 2014
- Scrap Metal Buyers & Need for NPDES Permits, TBD
- DES Work: Reuse & Recycling – Mike Baker, TBD

Meeting adjourned at 11:55 a.m.

Submitted by: Susanne McLemore